

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

BONNIE MCNEIL,

§

Plaintiff,

§

v.

§ CIVIL ACTION NO. H-07-3664

MICHAEL ASTRUE,
Commissioner of the Social Security
Administration,

§

Defendant.

§

ORDER

This court has reviewed the Memorandum and Recommendation of the United States Magistrate Judge signed on March 16, 2009 and made a *de novo* determination of the Magistrate Judge's recommended disposition. Rule 72(b), Fed. R. Civ. P.; 28 U.S.C. § 636(b)(1)(C); *United States v. Wilson*, 864 F.2d 1219 (5th Cir. 1989). Based on that review, this court adopts the Memorandum and Recommendation as this court's Memorandum and Order, granting the plaintiff's motion for summary judgment and denying the defendant's motion. The ALJ's decision to deny McNeil disability benefits was not supported by substantial evidence. The ALJ's determination that McNeil is not disabled and the denial of disability benefits are reversed and this case is remanded for further development of the record as to the nature and extent of McNeil's physical and mental impairments.

SIGNED on March 31, 2009, at Houston, Texas.



Lee H. Rosenthal
United States District Judge